

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

FILED
IN CLERKS OFFICE
2005 SEP 27 P 12:27

UNITED STATES OF AMERICA

Plaintiff

vs.

Nadine J. Griffin

Defendant

CASE NO. CR-05-10175-WGY

MOTION TO STRIKE THE UNITED
STATES' OPPOSITION TO DEFENDANT
GRIFFIN'S RESPONSE DATED
SEPTEMBER 6, 2005

Brief in support of motion to strike

Victor A. Wild's paper styled as "UNITED STATES' OPPOSITION TO DEFENDANT GRIFFIN'S RESPONSE DATE SEPTEMBER 6, 2005" appears to be interposed into these proceedings for purposes of harassment, delay, and obstruction of justice.

1. Wild misleads this court with Wild's claim, "Defendant's frivolous argument that this Court lacks subject matter jurisdiction over Title 26 offenses has been consistently rejected by federal courts." TRUTH: This court shall not find that Nadine Griffin averred that the federal district court lacks subject matter jurisdiction to hear cases arising from title 26 offenses. Nadine Griffin correctly pointed out to this court that Nadine Griffin understands United States Supreme Court doctrine wherein that honorable court has affirmed that the federal district court is a court of limited jurisdiction and that party seeking to invoke the federal district court's jurisdiction has the burden of proof to show, on the record, that the court has jurisdiction. In this instant case

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2 Nadine Griffin challenged whether the court's conclusion that this court has jurisdiction wa
3 factually sufficient. This court in fact relied on a mere theory that Nadine Griffin has file
4 returns tolling the statute of limitations. Wild's claim amounts to calling United States Suprem
5 Court doctrine frivolous.

6 2. Wild further insults the integrity of these proceedings by claiming, "Defendant"
7 argument that the federal tax laws do not apply to her and that she is not required to file incom
8 tax returns are completely without merit and are frivolous." TRUTH: This court shall not fin
9 that Nadine Griffin averred that the federal tax laws do not apply to Nadine Griffin and tha
10 Nadine Griffin is not required to file income tax returns. This court shall determine that Nadin
11 Griffin has requested that Wild and his associates cite the statutory authority for the impositio
12 of a tax on any activity that Nadine Griffin is allegedly involved in. This court shall nc
13 determine that Wild is able to answer this question.

15 3. Wild misleads this court regarding the decision in *United States v. Collins* relative t
16 26 U.S.C. § 7201 which clearly states - Any person who willfully attempts in any manner t
17 evade or defeat any tax imposed by this title or the payment thereof shall, in addition to othe
18 penalties provided by law, be guilty of a felony and, upon conviction thereof, shall be fined nc
19 more than \$100,000 (\$500,000 in the case of a corporation), or imprisoned not more than
20 years, or both, together with the costs of prosecution." This court shall notice: Nadine Griffi
21 took great care to list all of the taxes imposed under title 26 and invoked this court's power t
22 compel Wild to identify that certain statute under title 26 which makes Nadine Griffin subject t
23 and liable for a tax. This court has actual knowledge that a lawful prosecution under 26 U.S.C.

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2601, or for that matter, 26 U.S.C. § 2606, must reference another section of title twenty-six. Wild cannot inform this court of such a section. Wild works a fraud on this court by referencing 26 U.S.C. § 61(a) which merely defines "gross income" but fails to identify that statute which makes Nadine Griffin subject to and liable for a tax. Likewise, Wild misleads this court with reference to 26 U.S.C. § 6012 without informing this court of which of those many sections of title twenty-six identify a tax that Nadine Griffin is subject to and liable for.

4. Wild works a further fraud on this court by theorizing that Nadine Griffin filed a tax return on July 30, 1999. **WHERE IS THIS TAX RETURN?** This court is charged with the knowledge that the theories of Wild do not, by any stretch of the imagination, rise to a level of fact before this court.

5. Finally, Wild commits fraud by concealment relative to Nadine Griffin's notice to this court that the prosecution failed to show this court that the prosecution exhausted administrative remedy warranting this court's dismissal and instruction to provide Nadine Griffin with statutory notice of deficiency as a prerequisite to attaching Nadine Griffin.

Conclusion

Determination by this court that Victor A. Wild attributes commentaries to Nadine Griffin which are not verified on the record warrants striking Mr. Wild's opposition to defendant Griffin's response dated September 6, 2005 and admonishing Mr. Wild not to impose any further deceptions on this court or face sanctions.

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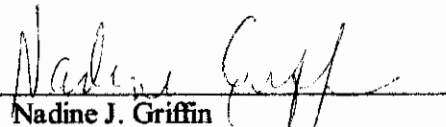
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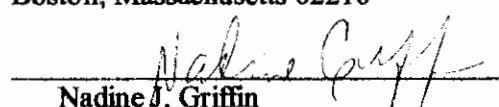
1
2
3 Prepared and submitted by: _____


Nadine J. Griffin

4 Certificate of Mailing

5 I, Nadine J. Griffin, certify that September 21, 2005, I mailed a true and correct copy of th
above and foregoing motion to strike to: Christopher Maietta, at:

6 Christopher Maietta
7 United States Attorney's Office
8 1 Courthouse Way
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